

REMARKS

Independent claims 1 and 11 remain in their previously presented form. Dependent claim 25 has been amended to correct a typographical error. Claims 4, 5, 7, 14, 15, and 17 were previously withdrawn from consideration as being directed to non-elected species. Accordingly, claims 1-3, 6, 8-13, 16, and 18-26 (including independent claims 1 and 11) are pending and subject to examination in the application.

Applicants would like to thank Examiner Wilson for participating in a telephonic interview on July 11, 2006, during which the teaching of the Henning reference and the summary of the November 1, 2005 examiner interview with now-retired Examiner Joyce were discussed. Applicants respectfully submit that independent claims 1 and 11 are patentable over Henning and all other prior art of record.

Claim Objection

Claim 25 was objected to as depending from itself. Claim 25 has been amended to clarify that it depends from claim 24. Applicants respectfully request that the objection be withdrawn.

Written Description Support for Claims 21, 22, 24, and 25

Claims 21, 22, 24, and 25 were rejected under 35 U.S.C. § 112, ¶1 as failing to comply with the written description requirement. Applicants respectfully submit that claims 21, 22, 24, and 25 are supported by Applicants' original specification. Written description support is found for these claims throughout Applicant's original specification, for example, at page 6, lines 20-28 and at FIGS. 3, 4, 9, 11, and 13. Applicants respectfully request that the rejection under 35 U.S.C. § 112, ¶1 be withdrawn.

Claims 1, 2-3, 6, 8-10, and 21-23

Independent claim 1 was rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 5,947,812 to Henning et al. ("Henning"). The Office Action also cited European Patent

EP 1099598 to Steen Manfred ("Manfred") in a rejection of dependent claim 3. Applicants respectfully submit that independent claim 1 is patentable over Henning, Manfred, and all other prior art of record.

Unlike claim 1, Henning does not disclose means for releasably securing the peripheral portion in abutment with the wall "such that the bulkhead is secured to the wall in an elevated position above a floor of the trailer." Instead, Henning teaches that an air return bulkhead includes tapered sections 32 or 232 that define pallet stops 36 extending down to the trailer floor to receive the impact from the pallets that are loaded on the floor of the trailer. (Henning at col. 3, lines 50-67; FIGS. 4-5 and 14.) As such, Henning's pallet stops 36 rest on the trailer floor, and Henning fails to teach that the bulkhead is secured to the wall in an elevated position above a floor of the trailer.

Manfred is also lacking for substantially the same reasons. Manfred does not disclose means for releasably securing the peripheral portion in abutment with the wall "such that the bulkhead is secured to the wall in an elevated position above a floor of the trailer." Instead, Manfred discloses a panel that is secured to horizontal crossbars 6 and 7 using generally downwardly facing hooks 3 and 4. (Manfred at FIGS. 1, 2a, and 2c.)¹

For at least these reasons, Applicants respectfully submit that claim 1 and associated dependent claims 2-3, 6, 8-10, and 21-23 are patentable over Henning, Manfred, and all other prior art of record. The rejections based on Henning or a combination of Henning and Manfred must be withdrawn.

Claims 11, 12-13, 16, 18-20, and 24-26

Independent claim 11 was rejected under 35 U.S.C. §102(b) as being anticipated by Henning. The Office Action also cited Manfred in a rejection of dependent claim 13. Applicants respectfully submit that independent claim 11 is patentable over Henning, Manfred, and all other prior art of record.

¹ Dependent claims 3 and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Henning in view of Manfred. Applicants note that, unlike dependent claims 3 and 13, Manfred fails to disclose or suggest hook members extending in an "angularly upward direction" from the wall.

Unlike claim 11, Henning does not disclose mounting members to releasably secure the peripheral portion in abutment with the wall "such that the bulkhead is secured to the wall in an elevated position above floor of the trailer." Rather, as previously described, Henning teaches that pallet stops 36 extend down to the trailer floor to receive the impact from the pallets that are loaded on the floor of the trailer. (Henning at col. 3, lines 50-67; FIGS. 4-5 and 14.)

Also as previously described, Manfred is lacking for substantially the same reasons.

For at least these reasons, Applicants respectfully submit that claim 11 and associated dependent claims 12-13, 16, 18-20, and 24-26 are patentable over Henning, Manfred, and all other prior art of record. The rejections based on Henning or a combination of Henning and Manfred must be withdrawn.

Pending claims 1-3, 6, 8-13, 16, and 18-26 (including independent claims 1 and 11) are in condition for allowance. Applicants respectfully request rejoinder and consideration of dependent claims 4, 5, 7, 14, 15, and 17 that are directed to non-elected species.

No fee is believed to be due at this time. If necessary, please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

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